

UNITED STATES DISTRICT COURT
FORT THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:14-CR-128-H

UNITED STATES OF AMERICA)	
)	
v.)	<u>MOTION TO CONTINUE</u>
)	<u>MARCH 8, 2016</u>
)	<u>SENTENCING HEARING</u>
)	
CLEO BRIAN AUTRY)	
DERIC TYRON HARPER)	

The United States of America, by and through the United States Attorney for the Eastern District of North Carolina, respectfully moves to continue the March 8, 2016 term of court, sentencing hearing in the above-captioned matter. In support of this motion, the United States shows unto the Court as follows:

1. On October 6, 2014, Defendants, Cleo Brian Autry and Deric Tyron Harper, pled guilty to Counts One and Two of the Indictment.

2. Co-conspirator William Chamberlain's arraignment is currently scheduled for the April 12, 2016 term of court. Pursuant to his plea agreement, Defendants Autry and Harper will be called by the Government as witnesses in Chamberlain's trial.

3. The United States submits that in order for the Court to have a full picture of these defendants' cooperation, a continuation of the sentencing hearing is necessary.

4. This motion is made in good faith, and not for purposes of delay. Rather, it is to ensure that Defendants Autry and Harper have the ability under the plea agreement to cooperate and to have that cooperation considered at sentencing.

5. Counsel for Defendant Harper, Tyran Jamail George, and counsel for Defendant Autry, Thomas S. Hicks, know of and consent to this motion.

WHEREFORE, the United States respectfully requests that the Court continue the sentencing hearing in this matter until the Court's May 2016 term of Court. A proposed order is attached.

Respectfully submitted this 16th day of February, 2016.

THOMAS G. WALKER
United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify that I have on this 16th day of February, 2016, served a copy of the foregoing upon the counsel for the defendant in this action by either first-class mail, postage pre-paid, or by electronically filing the foregoing with the Clerk of Court, using the CM/ECF system which will send notification of such filing to:

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